

## **REMARKS**

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 42-77 are in this case. Claims 42-59 have been rejected under 35 U.S.C. §103 (a). Claims 60-77 are rejected under U.S.C. §102 (e). Claim 42 is currently amended.

The claims before the Examiner are directed towards a method and device for retrieving information for a user from a network-based information provider based on queries that are electronic representations of real-world entities captured by a data-capture device. No such method or device is taught or suggested in the art of record.

### **Interview Summary**

Reference is made to the telephone interview conducted on March 8, 2011, with Examiners Hussain and Yemane. The interview addressed the § 103(a) rejection of independent claim 42 over Gelvin in view of Cobbley. Informal agreement was reached that Cobbley does read on claim element (b).

Specifically, Applicant requested clarification regarding the Examiner's assertion that Cobbley, column 6, lines 12, reads on claim limitation (b). The process of Cobbley converts broadcast data into a digital index to be used for locating broadcast data; the index itself has no direct significance to the user. This is profoundly different from the present invention that claims formulating a query for retrieving information from a network to be supplied to the user. Furthermore, Applicant noted that formulating indices would not work in the present invention which is directed at providing information that matches the query captured from real

world entities; providing indices of digital data would be useless to the user. After review, Examiner Yamene acknowledged that Cobbley does not read on limitation (b) and instructed the Applicant to formalize the argument in either a "Response After Final" or a RCE.

Applicant thanks Examiners Hussain and Yemane for the courtesy of a personal interview.

### **§ 103(a) Rejections**

The Examiner has rejected claims 42-59 under § 102(e) as being anticipated by Gelvin et al. (US 6,859,831) in view of Cobbley (US5,818,510). The Examiner's rejection is respectfully traversed for the reasons described in the above Interview Summary. Although the Examiner has acknowledged that Cobbley does not read on claim element (b), Applicant has amended the claim element in question to further emphasize the fact that the particular query being claimed is one directed at providing the information contained in the query itself to the user:

"b) *formulating a query for information to be supplied to a user by transforming data obtained from at least one real-world entity into an electronic representation of the real-world entity by way of said data capture device;"*

In view of the above amendments and remarks it is respectfully submitted that independent Claim 42 and hence dependent Claims 43-59 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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